

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

HASAN ALI ABDUR-RAQIYB,

Plaintiff,

DECISION AND ORDER

04-CV-6118L

v.

ERIE COUNTY MEDICAL CENTER, et al.,

Defendants.


Plaintiff, Hasan Ali Abdur-Raqiyb, appearing *pro se*, commenced this action under 42 U.S.C. § 1983. Plaintiff, an inmate in the custody of the New York State Department of Correctional Services, alleges that he suffered injuries in connection with certain medical treatment that plaintiff received in 2003, while plaintiff was at or being transported to certain hospitals.

One of the four defendants, Twin City Ambulance Services (“Twin City”), has moved for summary judgment dismissing both plaintiff’s claims against Twin City and the codefendants’ cross-claims against Twin City for contribution and indemnification. The codefendants have not responded to the motion, and plaintiff states in his affidavit in response to the motion that he has learned through discovery that “Twin City Ambulance Services was not responsible for the alleged injuries and damages in this case, and therefore, ... defendant Twin City Ambulance Services should be dismissed from the complaint.” Dkt. #74 ¶ 3. Twin City’s motion for summary judgment is therefore granted.

CONCLUSION

Defendant Twin City Ambulance Service's motion for summary judgment (Dkt. #70) is granted. Plaintiff's claims against Twin City Ambulance Services, the codefendants' claims against Twin City for contribution and indemnification, and Twin City Ambulance Services' cross-claims against the codefendants, are all dismissed.

IT IS SO ORDERED.



DAVID G. LARIMER
United States District Judge

Dated: Rochester, New York
March 21, 2006.